BOARD OF SUPERVISORS COUNTY OF STAFFORD STAFFORD, VIRGINIA

MINUTES

Regular Meeting September 18, 2007

<u>Call to Order.</u> A regular meeting of the Stafford County Board of Supervisors was called to order by Jack R. Cavalier, Chairman, at 1:08 P. M., Tuesday, September 18, 2007, in the Board Chambers, Stafford County Administration Center.

Roll Call. The following members were present: George H. Schwartz; M. S. "Joe" Brito; Jack R. Cavalier, Chairman; Mark Dudenhefer, Vice Chairman; Peter J. Fields; Robert C. Gibbons; and Paul V. Milde.

Also in attendance were: Anthony Romanello, Deputy County Administrator; Joe Howard, County Attorney and Marty Beard, Chief Deputy Clerk.

Presentation of a Proclamation.

Recognize and Commend PNC Bank and Regional President Glenn E.
 Kinard for Beautification Efforts on Plantation Drive

<u>Legislative</u>; <u>Status of Declared Water Restrictions.</u> Mr. Mike Neuhard, Deputy County Administrator, gave a status report on the reservoir levels.

<u>Legislative</u>; Work Session on House Bill 3202 Transportation, Chapter 896. Mr. Fulton DeLamorton, Senior Engineer, and Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and responded to Board members questions.

Mr. Milde motioned, seconded by Mr. Fields, to refer the Urban Development Area regarding 10-acre lots to the Planning Commission for further review.

The Voting Board tally was:

Yea: (7) Brito, Cavalier, Dudenhefer, Fields, Gibbons, Milde, Schwartz

Nay: (0)

<u>Legislative</u>; Work Session on Transportation Service Districts. Mr. Dudenhefer commented.

Mr. Dudenhefer motioned, seconded by Mr. Fields, to adopt proposed Resolution R07-374.

The Voting Board tally was:

Yea: (7) Cavalier, Dudenhefer, Fields, Gibbons, Milde, Schwartz, Brito

Nay: (0)

Resolution R07-374 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO ADVERTISE A PUBLIC HEARING TO ESTABLISH A TAX RATE
FOR THE GARRISONVILLE ROAD TRANSPORTATION SERVICE
DISTRICT

WHEREAS, the Board has established the Garrisonville Road Transportation Service District; and

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WHEREAS, the Board desires to assess a tax in the district to fund transportation

needs in the district; and

WHEREAS, public hearings must be held prior to establishing tax rates for the

district:

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of

Supervisors on this the 18th day of September 2007, that the County Administrator be

and he hereby is authorized to advertise a public hearing to set a tax rate not to exceed 10

cents per hundred dollars in assessed value in the Garrisonville Road Transportation

Service District.

Mr. Dudenhefer motioned, seconded by Mr. Gibbons, to adopt proposed Resolution

R07-392.

The Voting Board tally was:

Yea: (5)

Dudenhefer, Fields, Gibbons, Milde, Cavalier

Nay: (2) Schwartz, Brito

Resolution R07-392 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR

TO ADVERTISE A PUBLIC HEARING TO ESTABLISH A TAX RATE

FOR THE WARRENTON ROAD TRANSPORTATION SERVICE

DISTRICT

WHEREAS, the Board has established the Warrenton Road Transportation

Service District; and

WHEREAS, the Board desires to assess a tax in the districts to fund transportation

needs in the district; and

WHEREAS, public hearings must be held prior to establishing tax rates for the district;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of September 2007, that the County Administrator be and he hereby is authorized to advertise a public hearing to set a tax rate not to exceed 10 cents per hundred dollars in assessed value in the Warrenton Road Transportation Service District.

<u>Legislative</u>; Work Session on Other Post Employee Benefits (GASB 45). Ms. Maria Perrotte, Chief Financial Officer, gave a presentation and responded to Board members questions.

Discussion ensued.

<u>Legislative</u>; <u>Presentation by Comcast.</u> Ms. Marie Schuller, representative of Comcast, Inc. gave a presentation on current operations and responded to Board members questions.

Recess. At 3:35 P.M., the Chairman declared a recess.

Call to Order. At 3:49 P.M., the Chairman called the meeting back to order.

Legislative; Work Session on the HOT Lane Transit Plan by Lloyd P. Robinson, Director of Transportation Planning, FAMPO Administrator. Mr. Lloyd Robinson, Director of Transportation Planning, FAMPO Administrator, gave a presentation and responded to Board members questions.

<u>Legislative</u>; <u>Closed Meeting.</u> At 4:05 P.M, Mr. Gibbons motioned, seconded by Mr. Fields, to adopt proposed Resolution CM07-27.

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The Voting Board tally was:

Yea: (7) Fields, Gibbons, Milde, Schwartz, Brito, Cavalier, Dudenhefer

Nay: (0)

Resolution CM07-27 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board of County Supervisors desires to consult with counsel and

discuss in Closed Meeting legal advice in regard to the Crow's Nest Condemnation

Litigation, the Loy Violation of Wetlands Regulations and the Ray Dietzel v. Stafford

County Litigation Appeal; and one Personnel Matter regarding Parks and Recreation; and

WHEREAS, pursuant to Section 2.2-3711 A.1 and A.7, Va. Code Ann., such

discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford Board of Supervisors,

on this the 18th day of September, 2007 does hereby authorize discussions of the

aforestated matters in Closed Meeting.

Call to Order. At 5:10 P.M., the Chairman called the meeting back to order.

<u>Legislative</u>; <u>Closed Meeting Certification</u>. Mr. Gibbons motioned, seconded by Mr.

Schwartz, to adopt proposed Resolution CM07-27a.

The Voting Board tally was:

Yea: (6) Gibbons, Milde, Schwartz, Brito, Cavalier, Dudenhefer

Nay: (0)

Absent: (1) Fields

Resolution CM07-27a reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON SEPTEMBER 18, 2007

WHEREAS, the Board has, on this the 18th day of September, 2007, adjourned into a closed meeting in accordance with a formal vote of the Board and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, the Virginia Freedom of Information Act, as it became effective July 1, 1989, provides for certification that such Closed Meeting was conducted in conformity with law;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors does hereby certify, on this the 18th day of September, 2007, that to the best of each member's knowledge: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were discussed in the Closed Meeting to which this certification applies; and (2) only such public business matters as were identified in the Motion by which the said Closed Meeting was convened were heard, discussed, or considered by the Board. No member dissents from the aforesaid certification.

Recess. At 5:10 P. M., the Chairman declared a recess.

<u>Call to Order.</u> At 5:45 P.M., the Chairman called the meeting back to order in the First Floor Conference Rooms.

<u>Legislative</u>; Work Session with School Board. Dr. David E. Sawyer, Division Superintendent, and members of the School Board gave a presentation and discussed the Capital Improvements Program for 2008-2012.

Hearing no objections from the Board, it was determined that this item with today's recommendation with be on the Regular Agenda for the next Board meeting.

Recess. At 6:45 P. M. the Chairman declared a recess until 7:00 P. M.

Call to Order. At 7:02 P.M., the Chairman called the meeting back to order.

<u>Invocation...</u> Mr. Dudenhefer requested a Moment of Silence for Michael Kelly who was killed recently in a car accident.

<u>Pledge of Allegiance.</u> John Ehrbar of Boy Scout Troop 850 lead in the Pledge of Allegiance to the Flag of the United States of America.

<u>Legislative</u>; <u>Presentations by the Public</u>. Persons spoke on topics as identified:

Elvis Lewis - Soccer fields.

Peter Toby Brown - Soccer fields.

Barry Hill - Soccer fields.

Michael Gogolin - Safety of soccer fields.

Patricia Kurpiel - Proffer guidelines.

Dean Fetterolf - School budget.

Immigration

Angelo Amador - Soccer fields.

Kim Miller - Soccer fields.

Rick Owen - Soccer fields.

Traci Ackerman - Soccer fields.

Patti Virga - Soccer fields.

Darryl Barnes - Soccer fields.

Joel Anderson - Soccer fields.

Brad O'Dell - Soccer fields.

Children - Soccer fields
 Don McLaughlin - Soccer fields.
 Children - Soccer fields.
 Children - Soccer fields.
 Ray Lynne - Soccer fields.

Lou Silver - Celebration of Life.

TND public hearing.

- \$35M swimming pool complex.

Kaitlin ChildBob LouzekSoccer fields.ChildSoccer fields.

<u>Finance</u>; Authorize Participation in the Fall 2007 Virginia Public School Authority Bond Sale for \$14,710,000 and Budget and Appropriate the Proceeds. Ms. Maria Perotte, Chief Financial Officer, gave a presentation and responded to Board members questions.

The Chairman opened a public hearing.

No one desired to speak.

The Chairman closed the public hearing.

Mr. Gibbons motioned, seconded by Mr. Milde, to adopt proposed Resolution R07-324 and proposed Resolution R07-325..

The Voting Board tally was:

Yea: (6) Milde, Schwartz, Brito, Cavalier, Dudenhefer, Gibbons

Nay: (0)

Absent: (1) Fields

Resolution R07-324 reads as follows:

A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF

NOT TO EXCEED \$10,950,000 GENERAL OBLIGATION SCHOOL BONDS OF THE COUNTY OF STAFFORD, VIRGINIA TO BE SOLD TO THE VIRGINIA PUBLIC SCHOOL AUTHORITY AND PROVIDING FOR THE FORM AND DETAILS THEREOF

WHEREAS, the Board of Supervisors (the "Board") of the County of Stafford, Virginia (the "County") has determined that it is necessary and expedient to borrow an amount not to exceed \$10,950,000 and to issue its general obligation school bonds to finance certain capital projects for school purposes; and

WHEREAS, the Board held a public hearing on September 18, 2007 on the issuance of the Bonds (as defined below) in accordance with the requirements of Section 15.2-2606, Code of Virginia (1950), as amended (the "Virginia Code"); and

WHEREAS, the School Board of the County has requested by resolution the Board to authorize the issuance of the Bonds and has consented to the issuance of the Bonds; and

WHEREAS, such factors may result in requiring the County to accept a discount, given the VPSA Purchase Price Objective and market conditions, under which circumstance the proceeds from the sale of the Bonds received by the County will be less than the amount set forth in paragraph 1 below;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors:

1. <u>Authorization of Bonds and Use of Proceeds</u>. The Board hereby determines that it is advisable to contract a debt and to issue and sell general obligation school bonds of the County in the aggregate principal amount not to exceed \$10,950,000 (the "Bonds") for the purpose of financing certain capital projects for school purposes. The Board hereby authorizes the issuance and sale of the Bonds in the form and upon the terms established pursuant to this Resolution.

- 2. <u>Sale of the Bonds</u>. It is determined to be in the best interest of the County to accept the offer of VPSA to purchase from the County, and to sell to VPSA, the Bonds at a price determined by VPSA and accepted by the Chairman of the Board or the County Administrator and upon the terms established pursuant to this Resolution. The County Administrator and the Chairman of the Board, or either of them, and such officer or officers of the County as either of them may designate, are hereby authorized and directed to enter into the Bond Sale Agreement with the VPSA providing for the sale of the Bonds to VPSA in substantially the form on file with the County Administrator, which form is hereby approved (the "Bond Sale Agreement").
- 3. <u>Details of the Bonds</u>. The Bonds shall be issuable in fully registered form in denominations of \$5,000 and whole multiples thereof; shall be dated the date of issuance and delivery of the Bonds; shall be designated "General Obligation School Bonds, Series 2007" (or such other designation as the County Administrator may approve) shall bear interest from the date of delivery thereof payable semi-annually on each January 15 and July 15 (each an "Interest Payment Date"), beginning July 15, 2008, at the rates established in accordance with paragraph 4 of this Resolution; and shall mature on July 15 in the years (each a "Principal Payment Date") and in the amounts established in accordance with paragraph 4 of this Resolution. The Interest Payment Dates and the Principal Payment Dates are subject to change at the request of VPSA.
- 4. <u>Principal Installments and Interest Rates</u>. The County Administrator is hereby authorized and directed to accept the interest rates on the Bonds established by VPSA, provided that each interest rate shall be no more than ten one-hundredths of one percent (0.10%) over the interest rate to be paid by VPSA for the corresponding principal payment date of the bonds to be issued by the VPSA (the "VPSA Bonds"), a portion of the proceeds of which will be used to purchase the Bonds, and provided further, that the true interest cost of the Bonds does not exceed six percent (6%) per annum. The County Administrator is further authorized and directed to accept the aggregate principal amount of the Bonds and the amounts of principal of the Bonds coming due on each Principal Payment Date (the "Principal Installments") established by VPSA, including any changes in the Interest Payment Dates, the Principal Payment Dates

and the Principal Installments which may be requested by VPSA provided that such aggregate principal amount shall not exceed the maximum amount set forth in paragraph one and the final maturity of the Bonds shall not be later than 26 years from their date. The execution and delivery of the Bonds as described in paragraph 8 hereof shall conclusively evidence such Interest Payment Dates, Principal Payment Dates, interest rates, principal amount and Principal Installments as having been so accepted as authorized by this Resolution.

- 5. <u>Form of the Bonds</u>. The Bonds shall be initially in the form of a single, temporary typewritten bond substantially in the form attached hereto as Exhibit A.
- 6. <u>Payment; Paying Agent and Bond Registrar</u>. The following provisions shall apply to the Bonds:
- (a) For as long as VPSA is the registered owner of the Bonds, all payments of principal of, premium, if any, and interest on the Bonds shall be made in immediately available funds to VPSA at or before 11:00 a.m. on the applicable Interest Payment Date, Principal Payment Date or date fixed for prepayment or redemption, or if such date is not a business day for Virginia banks or for the Commonwealth of Virginia, then at or before 11:00 a.m. on the business day next preceding such Interest Payment Date, Principal Payment Date or date fixed for prepayment or redemption;
- (b) All overdue payments of principal and, to the extent permitted by law, interest shall bear interest at the applicable interest rate or rates on the Bonds; and
- (c) U.S. Bank National Association, Richmond, Virginia, is designated as Bond Registrar and Paying Agent for the Bonds.
- 7. Prepayment or Redemption. The Principal Installments of the Bonds held by the VPSA coming due on or before July 15, 2017, and the definitive Bonds for which the Bonds held by the VPSA may be exchanged that mature on or before July 15, 2017, are not subject to prepayment or redemption prior to their stated maturities. The Principal Installments of the Bonds held by the VPSA coming due after July 15, 2017, and the definitive Bonds for which the Bonds held by the VPSA may be

exchanged that mature after July 15, 2017, are subject to prepayment or redemption at the option of the County prior to their stated maturities in whole or in part, on any date on or after July 15, 2017, upon payment of the prepayment or redemption prices (expressed as percentages of Principal Installments to be prepaid or the principal amount of the Bonds to be redeemed) set forth below plus accrued interest to the date set for prepayment or redemption:

<u>Dates</u>	<u>Prices</u>
July 15, 2017 to July 14, 2018, inclusive	101%
July 15, 2018 to July 14, 2019, inclusive	100.5
July 15, 2019 and thereafter	100;

Provided, however, that the Bonds shall not be subject to prepayment or redemption prior to their stated maturities as described above without first obtaining the written consent of the registered owner of the Bonds. Notice of any such prepayment or redemption shall be given by the Bond Registrar to the registered owner by registered mail not more than ninety (90) and not less than sixty (60) days before the date fixed for prepayment or redemption. The County Administrator is authorized to approve such other redemption provisions, including changes to the redemption dates set forth above, as may be requested by VPSA.

- 8. <u>Execution of the Bonds</u>. The Chairman or Vice Chairman and the Clerk or any Deputy Clerk of the Board are authorized and directed to execute and deliver the Bonds and to affix the seal of the County thereto. The manner of such execution may be by facsimile, provided that if both signatures are by facsimile, the Bonds shall not be valid until authenticated by the manual signature of the Paying Agent.
- 9. <u>Pledge of Full Faith and Credit</u>. For the prompt payment of the principal of, and the premium, if any, and the interest on the Bonds as the same shall become due, the full faith and credit of the County are hereby irrevocably pledged, and in each year while any of the Bonds shall be outstanding there shall be levied and collected in accordance with law an annual ad valorem tax upon all taxable property in the County

subject to local taxation sufficient in amount to provide for the payment of the principal of, and the premium, if any, and the interest on the Bonds as such principal, premium, if any, and interest shall become due, which tax shall be without limitation as to rate or amount and in addition to all other taxes authorized to be levied in the County to the extent other funds of the County are not lawfully available and appropriated for such purpose.

- 10. Use of Proceeds Certificate; Non-Arbitrage Certificate. The Chairman of the Board and the County Administrator, or either of them and such officer or officers of the County as either may designate are hereby authorized and directed to execute a Non-Arbitrage Certificate, if required by bond counsel, and a Use of Proceeds Certificate setting forth the expected use and investment of the proceeds of the Bonds and containing such covenants as may be necessary in order to show compliance with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and applicable regulations relating to the exclusion from gross income of interest on the Bonds and on the VPSA Bonds. The Board covenants on behalf of the County that (i) the proceeds from the issuance and sale of the Bonds will be invested and expended as set forth in such Use of Proceeds Certificate and the County shall comply with the covenants and representations contained therein and (ii) the County shall comply with the provisions of the Code so that interest on the Bonds and on the VPSA Bonds will remain excludable from gross income for federal income tax purposes.
- 11. State Non-Arbitrage Program; Proceeds Agreement. The Board hereby determines that it is in the best interests of the County to authorize and direct the County Treasurer to participate in the State Non-Arbitrage Program in connection with the Bonds. The County Administrator and the Chairman of the Board, or either of them and such officer or officers of the County as either of them may designate, are hereby authorized and directed to execute and deliver a Proceeds Agreement with respect to the deposit and investment of proceeds of the Bonds by and among the County, the other participants in the sale of the VPSA Bonds, VPSA, the investment manager, and the depository substantially in the form on file with the County Administrator, which form is hereby approved.

- and the County Administrator, or either of them, and such officer or officers of the County as either of them may designate are hereby authorized and directed (i) to execute a Continuing Disclosure Agreement, as set forth in Appendix F to the Bond Sale Agreement, setting forth the reports and notices to be filed by the County and containing such covenants as may be necessary in order to show compliance with the provisions of the Securities and Exchange Commission Rule 15c2-12 and (ii) to make all filings required by Section 3 of the Bond Sale Agreement should the County be determined by the VPSA to be a MOP (as defined in the Continuing Disclosure Agreement).
- 13. <u>Filing of Resolution</u>. The appropriate officers or agents of the County are hereby authorized and directed to cause a certified copy of this Resolution to be filed with the Circuit Court of the County.
- 14. <u>Further Actions</u>. The County Administrator, the Chairman of the Board, and such other officers, employees and agents of the County as either of them may designate are hereby authorized to take such action as the County Administrator or the Chairman of the Board may consider necessary or desirable in connection with the issuance and sale of the Bonds and any such action previously taken is hereby ratified and confirmed.

Effective Date. This Resolution shall take effect immediately.

The undersigned Clerk of the Board of Supervisors of the County of Stafford, Virginia, hereby certifies that the foregoing constitutes a true and correct extract from the minutes of a meeting of the Board of Supervisors held on September 18, 2007, and of the whole thereof so far as applicable to the matters referred to in such extract. I hereby further certify that such meeting was a regularly scheduled meeting and that, during the consideration of the foregoing resolution, a quorum was present. The front page of this Resolution accurately records (i) the members of the Board of Supervisors present at the meeting, (ii) the members who were absent from the meeting, and (iii) the vote of each member, including any abstentions.

WITNESS MY HAND and the seal of the Board of Supervisors of the County of Stafford, Virginia, this 18th day of September, 2007.

Clerk, Board of Supervisors of the County of Stafford, Virginia

(SEAL)

EXHIBIT A

(FORM OF TEMPORARY BOND)

NO. TR-1

UNITED STATES OF AMERICA COMMONWEALTH OF VIRGINIA COUNTY OF STAFFORD

General Obligation School Bond

Series 2007B

The COUNTY OF STAFFORD, VIRGINIA (the "County"), for value received
hereby acknowledges itself indebted and promises to pay to the VIRGINIA PUBLIC
SCHOOL AUTHORITY the principal amount of Dollars
(\$), in annual installments in the amounts set forth on Schedule I attached
hereto payable on July 15, 2008 and annually on July 15 thereafter to and including July
15, 20_ (each a "Principal Payment Date"), together with interest from the date of this
Bond on the unpaid installments, payable semi-annually on January 15 and July 15 of
each year commencing on July 15, 2008 (each an "Interest Payment Date;" together with
any Principal Payment Date, a "Payment Date"), at the rates per annum set forth or
Schedule I attached hereto, subject to prepayment or redemption as hereinafter provided

Both principal of and interest on this Bond are payable in lawful money of the United States of America.

For as long as the Virginia Public School Authority is the registered owner of this Bond, U.S. Bank National Association, Richmond, Virginia, as bond registrar (the "Bond Registrar") shall make all payments of principal, premium, if any, and interest on this Bond, without presentation or surrender hereof, to the Virginia Public School Authority, in immediately available funds at or before 11:00 a.m. on the applicable Payment Date or date fixed for prepayment or redemption. If a Payment Date or date fixed for prepayment or redemption is not a business day for banks in the Commonwealth of Virginia or for the Commonwealth of Virginia, then the payment of principal, premium, if any, or interest on this Bond shall be made in immediately available funds at or before 11:00 a.m. on the business day next preceding the scheduled Payment Date or date fixed for prepayment or redemption. Upon receipt by the registered owner of this Bond of said payments of principal, premium, if any, and interest, written acknowledgment of the receipt thereof shall be given promptly to the Bond Registrar, and the County shall be fully discharged of its obligation on this Bond to the extent of the payment so made. Upon final payment, this Bond shall be surrendered to the Bond Registrar for cancellation.

The full faith and credit of the County are irrevocably pledged for the payment of the principal of and the premium, if any, and interest on this Bond. The resolution adopted by the Board of Supervisors authorizing the issuance of the Bonds provides, and Section 15.2-2624 of the Code of Virginia of 1950, as amended, requires, that there shall be levied and collected an annual tax upon all taxable property in the County subject to local taxation sufficient to provide for the payment of the principal, premium, if any, and interest on this Bond as the same shall become due which tax shall be without limitation as to rate or amount and shall be in addition to all other taxes authorized to be levied in the County to the extent other funds of the County are not lawfully available and appropriated for such purpose.

This Bond is duly authorized and issued in compliance with and pursuant to the Constitution and laws of the Commonwealth of Virginia, including the Public Finance Act of 1991, Chapter 26, Title 15.2, Code of Virginia of 1950, as amended, and

resolutions duly adopted by the Board of Supervisors of the County and the School Board of the County to provide funds for capital projects for school purposes.

This Bond may be exchanged without cost, on twenty (20) days written notice from the Virginia Public School Authority at the office of the Bond Registrar on one or more occasions for one or more temporary bonds or definitive bonds in marketable form and, in any case, in fully registered form, in denominations of \$5,000 and whole multiples thereof, having an equal aggregate principal amount, having principal installments or maturities and bearing interest at rates corresponding to the maturities of and the interest rates on the installments of principal of this Bond then unpaid. This Bond is registered in the name of the Virginia Public School Authority on the books of the County kept by the Bond Registrar, and the transfer of this Bond may be effected by the registered owner of this Bond only upon due execution of an assignment by such registered owner. Upon receipt of such assignment and the surrender of this Bond, the Bond Registrar shall exchange this Bond for definitive Bonds as hereinabove provided, such definitive Bonds to be registered on such registration books in the name of the assignee or assignees named in such assignment.

The principal installments of this Bond coming due on or before July 15, 2017 and the definitive Bonds for which this Bond may be exchanged that mature on or before July 15, 2017 are not subject to prepayment or redemption prior to their stated maturities. The principal installments of this Bond coming due after July 15, 2017, and the definitive Bonds for which this Bond may be exchanged that mature after July 15, 2017 are subject to prepayment or redemption at the option of the County prior to their stated maturities in whole or in part, on any date on or after July 15, 2017, upon payment of the prepayment or redemption prices (expressed as percentages of principal installments to be prepaid or the principal amount of the Bonds to be redeemed) set forth below plus accrued interest to the date set for prepayment or redemption:

<u>Dates</u>	<u>Prices</u>
July 15, 2017 to July 14, 2018, inclusive	101%
July 15, 2018 to July 14, 2019, inclusive	100.5
July 15, 2019 and thereafter	100;

Provided, however, that the Bonds shall not be subject to prepayment or redemption prior to their stated maturities as described above without the prior written consent of the registered owner of the Bonds. Notice of any such prepayment or redemption shall be given by the Bond Registrar to the registered owner by registered mail not more than ninety (90) and not less than sixty (60) days before the date fixed for prepayment or redemption.

All acts, conditions and things required by the Constitution and laws of the Commonwealth of Virginia to happen, exist or be performed precedent to and in the issuance of this Bond have happened, exist and have been performed in due time, form and manner as so required, and this Bond, together with all other indebtedness of the County, is within every debt and other limit prescribed by the Constitution and laws of the Commonwealth of Virginia.

IN WITNESS WHEREOF, the Board of Supervisors of the County of Stafford, Virginia, has caused this Bond to be issued in the name of the County of Stafford, Virginia, to be signed by its Chairman or Vice-Chairman, its seal to be affixed hereto and attested by the signature of its Clerk or any of its Deputy Clerks, and this Bond to be dated November ___, 2007.

	COUNTY OF STAFFORD, VIRGINIA
(SEAL)	
ATTEST:	
	By:
Clerk, Board of Supervisors of the County of	Chairman, Board of Supervisors of the
Stafford, Virginia	County of Stafford, Virginia

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto		
(PLEASE PRINT OR TYPEWRITE NAME A	AND ADDRESS, INCLUDING ZIP	
PLEASE INSERT SOCIAL SECURITY OR OIDENTIFYING NUMBER OF ASSIGNEE:	OTHER	
the within Bond and irrevocably constitutes and	••	
Bond for definitive bonds in lieu of which this of such definitive bonds on the books kept for substitution in the premises.	_	
Dated: Signature Guaranteed:		
(NOTICE: Signature(s) must be guaranteed by an "eligible guarantor institution" meeting the requirements of the Bond Registrar which requirements will include membership or participation in STAMP or such other "signature guarantee program" as may be determined by the Bond Registrar in	Registered Owner (NOTICE: The signature above must correspond with the name of the Registered Owner as it appears on the front of this Bond in every particular, without alteration or change.)	

addition to, or in substitution for, STAMP,

all in accordance with the Securities

Exchange Act of 1934, as amended.)

Resolution R07-325 reads as follows:

A RESOLUTION TO BUDGET AND APPROPRIATE BOND

PROCEEDS FROM GENERAL OBLIGATION SCHOOL BONDS

WHEREAS, the Board, on September 18, 2007, adopted Resolution R07-324

which approved the issuance and sale of General Obligation school bonds in an amount

not to exceed \$10,950,000; and

WHEREAS the budget needs to be amended to allow the County to receive the

proceeds and transfer them to the School Construction Fund; and

WHEREAS, a public hearing on the proposed amendment to the budget was held

September 18, 2007, as required by Section 15.2-2507 of the Code of Virginia (1950), as

amended: and

WHEREAS, the Board has carefully considered the recommendation of Staff and

the testimony at the public hearing;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of

Supervisors on this the 18th day of September, 2007, that the County Administrator be

and he hereby is authorized to budget and appropriate funds as follows:

GENERAL CAPITAL PROJECTS FUND:

Source:

Proceeds from Sale of Bonds

\$10,950,000

Expenditure:

Transfer to School Construction Fund

\$10,950,000

<u>Legislative</u>; <u>Consent Agenda.</u> Mr. Gibbons motioned, seconded by Mr. Dudenhefer, to adopt the Consent Agenda consisting of Items 10 thru 15.

The Voting Board tally was:

Yea: (6) Schwartz, Brito, Cavalier, Dudenhefer. Gibbons, Milde

Nay: (0)

Absent: (1) Fields

<u>Item 10. Legislative; Approve Minutes of Board Meeting.</u> Regular Meeting of August 21, 2007.

<u>Item 11. Finance; Approve Expenditure Listings.</u>

Resolution R07-382 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)
DATED SEPTEMBER 4, 2007 THROUGH SEPTEMBER 17, 2007

WHEREAS, the Board has appropriated funds to be expended for the purchase of goods and services in accordance with an approved budget; and

WHEREAS, the payments appearing on the above-referenced Listing of Expenditures represent payment of \$100,000 and greater for the purchase of goods and/or services which are within the appropriated amounts;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of September 2007, that the above-mentioned EL be and it hereby is approved.

<u>Item 12. Legislative; Oppose a Petition by Cox Cable Communications to the Federal Communications Commission for Special Relief.</u>

Resolution R07-394 reads as follows:

A RESOLUTION TO OPPOSE A PETITION BY COX CABLE COMMUNICATIONS TO THE FEDERAL COMMUNICATIONS COMMISSION FOR SPECIAL RELIEF

WHEREAS, the Federal Communications Commission posted a Public Notice of Cox Cable Communications' Petition for Special Relief on August 31, 2007; and

WHEREAS, the petition seeks a determination by the FCC that Cox is subject to effective competition because Cox claims that at least 15 percent of households in their service area subscribe to services provided by Direct Broadcast Satellite (DBS) dishes; and

WHEREAS, if the Cox petition prevails, the company will no longer be subject to any rate regulation by either the FCC or Stafford County, and the rates for the basic cable services tier, converters, remotes, installations and hourly service charges would be set by Cox Cable; and

WHEREAS, additional negative impacts to customers if the Cox petition is granted would include requiring subscribers to purchase a specific tier of service before being allowed to buy programming such as HBO or pay-per-view movies, and eliminating the basic service tier and offering customers a single, unregulated tier of expanded basic programming; and

WHEREAS, Cox Cable would also no longer be required to limit charges for changes in services; refrain from negative option billing; or provide a uniform rate

structure throughout Stafford County for basic service, programming, and equipment and installation charges; and

WHEREAS, the Board desires to oppose Cox's Petition for Special Relief to ensure that the residents of Stafford County receive fair and equal treatment from all cable television service providers, and that cable rates remain affordable for all subscribers;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of September, 2007, that the County Administrator be and he hereby is authorized to file a response with the FCC opposing the Petition for Special Relief by Cox Cable Communications.

Item 13. Fire and Rescue; Award Contract for Purchase of a Fire Engine.

Resolution R07-395 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO EXECUTE A CONTRACT TO PURCHASE ONE ALL-HAZARDS
ENGINE FOR BEREA FIRE AND RESCUE STATION

WHEREAS, the Board has appropriated funds to be expended for the purchase of goods and services in accordance with an approved budget;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of September, 2007, that the County Administrator be and he hereby is authorized to execute a contract for the purchase of one All-Hazards engine for Berea Fire and Rescue Station.

Item 14. Utilities; Ratify Land Acquisition Contract for Rocky Pen Run Reservoir.

Resolution R07-401 reads as follows:

A RESOLUTION APPROVING THE PURCHASE OF PARCEL 43-29 FOR ROCKY PEN RUN RESERVOIR

WHEREAS, the Board previously authorized the quick take condemnation of Parcel 43-29, owned by Shirley A. Helton, for the appraised value of \$190,000 which funds were deposited with the Stafford County Circuit Court; and

WHEREAS, the County's outside counsel filed a Petition for Condemnation; and

WHEREAS, Counsel for Ms. Helton withdrew the deposited funds on behalf of Ms. Helton, as allowed by law; and

WHEREAS, Ms. Helton demanded \$310,000 for the property; and

WHEREAS, based upon further analysis of the property, the County increased its offer for the acquisition of the involved acreage to \$250,500, which is an increase of \$60,500 over the amount previously deposited with the Court; and

WHEREAS, the County's increased offer of \$250,500 to purchase Parcel 43-29 was accepted by the property owner; and

WHEREAS, Staff recommends approval of the increased compensation to acquire the Helton parcel; and

WHEREAS, the Board needs to approve the additional compensation to purchase this property and settle the pending condemnation litigation;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors does hereby approve the additional compensation for the Helton property in the amount of \$60,500 for a total purchase price of \$250,500 and does further authorize the County Administrator to sign all documents necessary to complete the acquisition of Parcel 43-29.

<u>Item 15. Legislative; Appoint Members to Boards, Authorities, Commissions and Committees</u>

Resolution R07-397 reads as follows:

A RESOLUTION TO APPOINT A MEMBER TO THE FREDERICKSBURG REGIONAL ALLIANCE BOARD OF DIRECTORS

WHEREAS, the Board adopted Resolution R97-274 on June 17, 1997, which established the Fredericksburg Regional Alliance as an economic development organization to serve Planning District 16; and

WHEREAS, County and City officials are appointed to the Fredericksburg Regional Alliance Board of Directors; and

WHEREAS, the Board has previously appointed the following:

NAME EXPIRATION

Jack R. Cavalier June 30, 2007

(Board of Supervisors)

WHEREAS, the term of Jack R. Cavalier expired on June 30, 2007; and

WHEREAS, the term of membership is one year; and

WHEREAS, the Board desires to fill this vacancy;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of September, 2007 that

<u>NAME</u> <u>EXPIRATION</u>

Jack R. Cavalier December 31, 2007

(Board of Supervisors)

be and he hereby is appointed as a member of the Fredericksburg Regional Alliance Board of Directors.

Resolution R07-403 reads as follows:

A RESOLUTION TO APPOINT A MEMBER TO THE RAPPAHANNOCK AREA AGENCY ON AGING (ADVISORY COUNCIL)

WHEREAS, Section 2.1-371 through 2.1-373 of the Code of Virginia (1950), as amended, authorizes the Board to appoint two members to serve on the Rappahannock Area Agency on Aging (Advisory Council); and

WHEREAS, the Board has previously appointed the following:

<u>NAME</u> <u>EXPIRATION</u>

Martha Beavers December 31, 2005

(Member At-Large)

Irene Voide December 31, 2005

(Member-at-Large)

WHEREAS, Martha Beavers and Irene Voide have submitted resignations; and

WHEREAS, the term of appointment is two years; and

WHEREAS, the Board desires to fill these vacancies;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of September, 2007, that

<u>NAME</u> <u>EXPIRATION</u>

Aaron Lee Langlois

December 31, 2009

(Member At-Large)

be and he hereby is appointed to the Rappahannock Area Agency on Aging (Advisory Council).

<u>Legislative</u>; <u>County Recreational Fields</u>. The Chairman commented.

Mr. Greg Sager, Director of Parks and Recreation, and Mr. Chris Hoppe, Assistant Director of Parks and Recreation, gave a presentation and responded to Board members questions.

Hearing no objections from the Board, a Committee was formed to consist of two citizens from the Stafford Area Soccer Association and two people from Parks and Recreation Commission and staff to further review the issues and report back at the 2nd meeting in January 2008.

Legislative; Communication System. Mr. Milde commented.

Discussion ensued.

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Hearing no objections from the Board, a committee of two Economic Development Authority members and staff consult with the RCC Consultant representative.

<u>Legislative</u>; <u>Closed Meeting</u>. At 8:50 P.M, Mr. Dudenhefer motioned, seconded by Mr. Schwartz, to adopt proposed Resolution CM07-28.

The Voting Board tally was:

Yea: (6) Brito, Cavalier, Dudenhefer, Gibbons, Milde, Schwartz

Nay: (0)

Absent: (1) Fields

Closed Meeting CM07-28 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board of County Supervisors desires to consult with counsel and discuss in Closed Meeting legal advice in regard to the *Ray Dietzel v. Stafford County* Litigation Appeal; and

WHEREAS, pursuant to Section 2.2-3711 A.7, Va. Code Ann., such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford Board of Supervisors, on this the 18th day of September, 2007 does hereby authorize discussions of the aforestated matters in Closed Meeting.

<u>Call to Order.</u> At 8:59 P.M., the Chairman called the meeting back to order.

<u>Legislative</u>; <u>Closed Meeting Certification</u>. Mr. Gibbons motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution CM07-28a.

The Voting Board tally was:

Yea: (6) Gibbons, Milde, Schwartz, Brito, Cavalier, Dudenhefer

Nay: (0)

Absent: (1) Fields

Resolution CM07-28a reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON SEPTEMBER 18, 2007

WHEREAS, the Board has, on this the 18th day of September, 2007, adjourned into a closed meeting in accordance with a formal vote of the Board and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, the Virginia Freedom of Information Act, as it became effective July 1, 1989, provides for certification that such Closed Meeting was conducted in conformity with law;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors does hereby certify, on this the 18th day of September, 2007, that to the best of each member's knowledge: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were discussed in the Closed Meeting to which this certification applies; and (2) only such public business matters as were identified in the Motion by which the said Closed Meeting was convened were heard, discussed, or considered by the Board. No member dissents from the aforesaid certification.

Adjournment. At 9:00 P. M., the Chairman declared the meeting adjourned.		
Steve Crosby	Jack R. Cavalier	
County Administrator	Chairman	